UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,087	10/29/2003	David H. Bigelow	12569-0005	6648

25267	7590	08/22/2005		

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EXAMINER
RODRIGUEZ, PAUL L

ART UNIT	PAPER NUMBER
2125	

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/696,087	BIGELOW, DAVID H.
Office Action Summary	Examiner	Art Unit	
	Paul L. Rodriguez	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 July 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-9</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-9</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>15 July 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.　　The amendment filed 7/15/05 has been received and considered. Claims 1-9 are

presented for examination.

Continued Examination Under 37 CFR 1.114

2.　　A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 7/15/05 has been entered.

Drawings

3.　　The drawings were received on 7/15/05. These drawings are acceptable.

Claim Rejections - 35 USC § 102

4.　　The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-9 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Twigg

(U.S. Patent Application Publication 2002/0012007 A1).

6.   Claims 1-9 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Thackston

(U.S. Pat 6,295,513). The claimed invention reads on Thackston as follows:

Thackston discloses (claim 1) a method of modifying a product configuration option

entry page (col. 17 lines 52-58, the NICECAD system is a server based system, with access by a

client computer utilizing a browser, the browser provides a user with a GUI for entry and

manipulation of content), the method comprising the steps of receiving over a network (reference

number 260) a modification request corresponding to a modification of a product configuration

option entry page from a client computer (col. 29 line 49 – col. 30 line 41), generating in a

design system (reference number 200) an updated product configuration option entry page in

which at least one field of the product configuration-option entry page is modified in accordance

with the modification request and permitted design configurations (reference number 200, col. 17

lines 51-58, col. 19 lines 52-65, col. 20 line 20 – col. 21 line 14, col. 21 line 39 – col. 22 line 49,

col. 23 lines 18-60), and sending the updated product configuration option entry page over the

network to the client (inherent to the server based CAD system where the user or client computer

using a browser accesses the CAD system on the server, entries to the page are sent to the server

and returned to the browser by the server for display), (claim 2) displaying the product

configuration option entry page on a client computer, receiving an input corresponding to the

modification to the product configuration option entry page on the client computer, sending the

modification request to the design system over the network, receiving over the network the

updated product configuration option entry page from the design system and displaying the

updated product configuration option entry page on the client computer (all anticipated by the

server based CAD system providing user interface via a client utilizing a browser application),

(claim 3) receiving on the design system a product configuration option entry page and at least

one output option from the client computer (figure 2, 9) and generating at least one output in

accordance with the product configuration option entry page and the at least one output option

anticipated by the server based CAD system providing user interface via a client utilizing a

browser application), (claim 4) generating the at least one output includes retrieving product

configuration information from a database (reference number 210, figure 9), loading at least one

computer aided design object in a into a computer aided design system (reference number 200)

and modifying the at least one computer aided design object in accordance with the product

configuration option entry page and the product configuration information (col. 20 line 39 – col.

25 line 22), (claim 5) wherein the step of generating the at least one output further includes the

steps of generating assembly instructions from the product configuration option entry page and

the product configuration information, sending the assembly instructions to the computer aided

design system, assembling the at least one computer aided design object in accordance with the

assembly instructions and outputting an assembled computer aided design object in accordance

with the output option (reference number 1516), (claim 6) wherein the step of outputting the

assembled computer aided design object includes the step of displaying a view of the assembled

computer aided design object on the client computer (anticipated by the server based CAD

system providing user interface via a client utilizing a browser application), (claim 7) wherein

the network includes the internet (col. 9 lines 25-43), (claim 8) generating the at least one output

further includes the steps of generating configuration instructions from the product configuration

option entry page and the product configuration information, sending the configuration

instructions to the computer aided design system, configuring the at least one computer aided

design object in accordance with the configuration instructions and outputting a configured

computer aided design object in accordance with the output option (Based upon the various

system configurations, either a standard browser, custom browser or semi-machine dependent

applications, configuration instructions relating to how to configure and display at user interface

is inherent (col. 10 lines 5-35, col. 19 lines 26-40, col. 19 line 66 – col. 20 line 8), and (claim 9)

wherein the step of outputting the configured computer aided design object includes the step of

displaying a view of the configured computer aided design object on the client computer (col. 23

line 18 – col. 24 line 14). Examiner would like to point out that any reference to specific figures,

columns and lines should not be considered limiting in any way, the entire reference is

considered to provide disclosure relating to the claimed invention.

7.   Claims 1-4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Burrows et

al (U.S. Pat 6,397,117). The claimed invention reads on Burrows et al as follows:

Burrows et al discloses (claim 1) a method of modifying a product configuration option

entry page, the method comprising the steps of receiving over a network a modification request

corresponding to a modification of a product configuration option entry page from a client

computer (col. 4 lines 50-53), generating in a design system an updated product configuration

option entry page in which at least one field of the product configuration-option entry page is

modified in accordance with the modification request and permitted design configurations (col. 4

lines 53-57), and sending the updated product configuration option entry page over the network

to the client (col. 4 lines 57-61), (claim 2) further comprising displaying the product

configuration option entry page on a client computer (col. 4 lines 57-59, col. 5 lines 39-46),

receiving an input corresponding to the modification to the product configuration option entry

page on the client computer (col. 5 lines 12-20), sending the modification request to the design

system over the network (col. 5 lines 22-33), receiving over the network the updated product

configuration option entry page from the design system (col. 5 lines 39-46, 65-67) and displaying

the updated product configuration option entry page on the client computer (col. 4 lines 50-61),

(claim 3) further comprising receiving on the design system a product configuration option entry

page and at least one output option from the client computer (col. 4 lines 50-54, col. 5 lines 6-

20), and generating at least one output in accordance with the product configuration option entry

page and the at least one output option (col. 4 lines 54-61, col. 5 lines 22-46), (claim 4) wherein

said generating the at least one output includes retrieving product configuration information from

a database (col. 4 lines 8-14, lines 54-57, col. 5 lines 26-38), loading at least one computer aided

design object in a into a computer aided design system (col. 2 lines 10-1, col. 3 lines 1-13, col. 4

lines 8-19) and modifying the at least one computer aided design object in accordance with the

product configuration option entry page and the product configuration information (col. 4 lines

54-61) and (claim 7) wherein the network includes the internet (col. 3 lines 65 – col. 4 lines 4).

8.   Claims 1, 2 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Vogler

(U.S. Pat 5,815,683). The claimed invention reads on Vogler as follows:

        Vogler discloses (claim 1) a method of modifying a product configuration option entry

page, the method comprising the steps of receiving over a network a modification request

corresponding to a modification of the product configuration option entry page from a client

computer (col. 1 lines 41-42, col. 3 lines 1-13, col. 3 lines 37-52), generating in a design system

an updated product configuration option entry page in which at least one field of the product

configuration option entry page is modified in accordance with the form modification request

and permitted design configurations (col. 1 lines 42-45, col. 3 lines 13-14), and sending the

updated product configuration option entry page over the network to the client computer (col. 3

lines 14-16), (claim 2) further comprising displaying a product configuration option entry page

on a client (col. 3 lines 17-23, col. 4 lines 9-19), receiving an input corresponding to the

modification to the product configuration option entry page on the client computer (col. 3 lines

1-13), sending the modification request to the design system over the network (col. 2 line 59 -

col. 3 line 13), receiving over the network the updated product configuration option entry page

from the design system (col. 3 lines 13-16) and displaying the updated product configuration

option entry page on the client computer (col. 3 lines 17-23, col. 4 lines 9-19), and (claim 7)

wherein the network includes the internet (col. 2 lines 53-63).

Response to Arguments

9.   Applicant's arguments filed 7/15/05 have been fully considered but they are not

persuasive.

Regarding the drawings, the submitted figures correct the previous deficiency and the

objections are withdrawn.

Regarding the art rejections, while applicant has amended the term "form" to "option

entry page", the Examiner reads the claims as simply a client server interface where a server

provides the Graphical User Interface to the client computer. When a data entry is made on a

client computer, the data is sent to the server computer for processing, the server would then

update the page, which is then returned to the client computer for display of the page, which

would include any changes entered on the client computer. This is the basis for server run

applications where a user accesses the applications using a client computer and a browser

program. Therefore the amendment to the claim is not considered to read around the previous art

rejections and they are maintained. Also, Examiner makes a new art rejection based upon a

reference that clearly discloses a server based CAD application, operated by a client computer

utilizing a browser program. Rejections are maintained.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Eichstaedt et al (U.S. Pub 2005/0172260) – specifically teaches a design system and

method where a client accesses content from a central site, to review, modify or redline accessed

content via a web-browser and communications network.

Garcia et al (U.S. Pat 6,912,487) – teaches a server based automated CAD system.

Scott et al (U.S. Pat 6,489,980) – teaches updating objects on a web page when changes

are made using a browser interface.

Graham (U.S. Pat 6,343,302) – teaches a client server environment which updates and

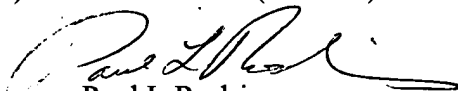displays at the server based upon changes made at the client.

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Paul L. Rodriguez whose telephone number is (571) 272-3753.

The examiner can normally be reached on 6:00 - 4:30 T-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paul L Rodriguez
Primary Examiner
Art Unit 2125

PLR
8/17/05